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UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

UNION PACIFIC RAILROAD COMPANY, a
Delaware Corporation,

Plaintiff,

v.

WINECUP GAMBLE, INC., a Nevada
Corporation,

Defendant.

Case No. 3:17-cv-00477-LRH-CLB

**ORDER GRANTING UNOPPOSED
MOTION SEEKING PERMISSION
FOR WINECUP GAMBLE TO FILE
AN OVERLENGTH RESPONSE TO
UNION PACIFIC'S MOTION FOR
JUDGMENT AS A MATTER OF LAW,
OR, ALTERNATIVELY, A NEW
TRIAL**

Defendant Winecup Gamble hereby requests permission to file a response that is eight pages over length to Union Pacific's "Supplemental Motion For Judgment as a Matter of Law, or, Alternatively, a New Trial," ECF No. 303 (the "Motion"). Winecup's response is due on December 23, 2022. ECF No. 305. Pursuant to Local Rule 7-3(b), the response to a post-trial motion is limited to 24 pages. Good cause exist for granting this request for two reasons. First, when the endnotes in Union Pacific's Motion are considered, the Motion was actually 32 pages, not 24 pages. *See* Declaration of Michael Menssen, attached hereto as Exhibit 1. As such, this request will provide Winecup with the same number of pages as Union Pacific used in the Motion. Second, the Motion raised numerous distinct issues in what is essentially two distinct motions: a motion for judgment as a matter of law under Rule 50, and a motion for a new trial under Rule 59. *Id.* While Winecup endeavors to be concise in its response, eight additional pages will be helpful to allow Winecup to adequately state the facts and law in support of its position.

Winecup has conferred with Union Pacific's counsel via email about this motion for eight additional pages, and Union Pacific has indicated that it does not oppose this request. *Id.*

DATED: December 20, 2022

/s/ Michael R. Menssen

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*Attorneys for Defendant Winecup Gamble,
Inc.*

IT IS SO ORDERED.

DATED: 12/20/22


UNITED STATES DISTRICT JUDGE